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MARTIN & FERRARO, LLP  
ATTORNEYS AT LAW  
1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632Telephone  
(330) 877-0700Facsimile  
(330) 877-2030

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## TO:

Name: Mail Stop AMENDMENT  
Group Art Unit 3733/Examiner Pedro Philogene

Firm: U.S. Patent &amp; Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 10/809,242

Gary K. Michelson

Filed: March 25, 2004

INSTRUMENTATION FOR USE WITH DYNAMIC  
SINGLE-LOCK ANTERIOR CERVICAL PLATE  
SYSTEM HAVING NON-DETACHABLY  
FASTENED AND MOVEABLE SEGMENTS

Attorney Docket No. 101.0112-01000

Customer No. 22882

Confirmation No.: 6717

## FROM:

Name: Thomas H. Martin, Esq.

Phone No.: 330-877-2277

No. of Pages (including this): 4

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## CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Information Disclosure Statement Under 37 C.F.R. § 1.97(b) and Form PTO/SB/08 are being facsimile transmitted to the U.S. Patent and Trademark Office on September 26, 2007.



Sandra L. Blackmon

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PATENT  
Attorney Docket No. 101.0112-01000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Gary K. Michelson  
Serial No.: 10/809,242  
Filed: March 25, 2004  
For: INSTRUMENTATION FOR USE WITH  
DYNAMIC SINGLE-LOCK ANTERIOR  
CERVICAL PLATE SYSTEM HAVING  
NON-DETACHABLY FASTENED  
AND MOVEABLE SEGMENTS

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) Confirmation No.: 6717  
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) Group Art Unit: 3733  
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) Examiner: Pedro Philogene  
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Commissioner for Patents  
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Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO/SB/08. This Information Disclosure Statement is being filed after a Request for Continued Examination (RCE) and is therefore being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claims in the application and applicant determines that the cited document does not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.


Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-3726.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: September 26, 2007

By:   
Thomas H. Martin  
Registration No. 34,383

1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
Telephone: (310) 286-9800  
Facsimile: (310) 286-2795